

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

ZOHO CORPORATION,

Plaintiff,

v.

LIBERTY PEAK VENTURES, LLC,

Defendant.

LIBERTY PEAK VENTURES, LLC,

Counterclaimant,

v.

ZOHO CORPORATION,

Counter-Defendant,

and

ZOHO CORPORATION PVT. LTD.

Third-Party Defendant.

Civil Action No. 1:22-cv-37-LY

**DECLARATION OF RYAN J. MARTON
IN SUPPORT OF ZOHO’S MOTION FOR LEAVE TO
SUPPLEMENT INVALIDITY CONTENTIONS**

I, Phillip J. Haack, declare as follows:

1. I am an attorney licensed to practice law in the State of California and am a partner with the law firm of Marton Ribera Schumann & Chang LLP, counsel of record for Plaintiff and Counter-defendant Zoho Corporation and Third-Party Defendant Zoho Corporation Pvt. Ltd. (“Zoho”) in this matter. I submit this declaration in support of Zoho’s Motion for Leave

to Supplement Invalidity Contentions. I have personal knowledge of the facts set forth herein unless otherwise indicated, and if called to testify, I could and would testify competently thereto.

2. Attached as Exhibit A is a true and correct copy of an excerpt (July 30, 2009 Application) from the prosecution history for U.S. Patent No. 9,373,122.

3. Attached as Exhibit B is a true and correct copy of an excerpt (September 24, 2010 Office Action) from the prosecution history for U.S. Patent No. 9,373,122.

4. Attached as Exhibit C is a true and correct copy of an excerpt (November 16, 2010 Office Action Response) from the prosecution history for U.S. Patent No. 9,373,122.

5. Attached as Exhibit D is a true and correct copy of an excerpt (January 26, 2011 Office Action) from the prosecution history for U.S. Patent No. 9,373,122.

6. Attached as Exhibit E is a true and correct copy of an excerpt (March 21, 2011 Office Action Response) from the prosecution history for U.S. Patent No. 9,373,122.

7. Attached as Exhibit F is a true and correct copy of an excerpt (April 30, 2014 Notice of Allowance) from the prosecution history for U.S. Patent No. 9,373,122.

8. Attached as Exhibit G is a true and correct copy of an excerpt (August 19, 2014 Office Action) from the prosecution history for U.S. Patent No. 9,373,122.

9. Attached as Exhibit H is a true and correct copy of an excerpt (November 11, 2014 Office Action Response) from the prosecution history for U.S. Patent No. 9,373,122.

10. Attached as Exhibit I is a true and correct copy of an excerpt (March 2, 2015 Office Action Response) from the prosecution history for U.S. Patent No. 9,373,122.

11. Attached as Exhibit J is a true and correct copy of an excerpt (Exhibit A) from Liberty Peak's Preliminary Infringement Contentions.

12. Attached as Exhibit K is a true and correct copy of excerpts from Bruce Schneier, “Applied Cryptography: Protocols, Algorithms, and Source Code in C” (2nd ed., 1996), John Wiley & Sons, Inc., USA (“Applied Cryptography”).

13. Attached as Exhibit L is a true and correct copy of a web page titled *Browser Extensions* obtained from the September 1, 2008 version of the Microsoft Developer Network (MSDN) Internet Explorer Developer Center website available through the Internet Archive’s Wayback Machine at the following URL:

[https://web.archive.org/web/20080901100254/http://msdn.microsoft.com/en-us/library/aa753587\(VS.85\).aspx](https://web.archive.org/web/20080901100254/http://msdn.microsoft.com/en-us/library/aa753587(VS.85).aspx).

14. Attached as Exhibit M is a true and correct copy of a web page titled *Internet Explorer Architecture* obtained from the May 10, 2008 version of the Microsoft Developer Network (MSDN) Internet Explorer Developer Center website available through the Internet Archive’s Wayback Machine at the following URL:

[https://web.archive.org/web/20080510115334/http://msdn.microsoft.com/en-us/library/aa741311\(VS.85\).aspx](https://web.archive.org/web/20080510115334/http://msdn.microsoft.com/en-us/library/aa741311(VS.85).aspx).

15. Attached as Exhibit N is a true and correct copy of a web page titled *Extensions* obtained from the November 11, 2008 version of the Mozilla Developer Center website available through the Internet Archive’s Wayback Machine at the following URL:

<https://web.archive.org/web/20081111122513/https://developer.mozilla.org/en/Extensions>.

16. Attached as Exhibit O is a true and correct copy of a web page titled *Plugins* obtained from the November 13, 2008 version of the Mozilla Developer Center website available through the Internet Archive’s Wayback Machine at the following URL:

<https://web.archive.org/web/20081113171652/https://developer.mozilla.org/en/Plugins>.

17. Attached as Exhibit P is a true and correct copy of excerpts from the Microsoft Computer Dictionary (5th ed., 2002).

18. Attached as Exhibit Q is a true and correct copy of B. Kaliski, *PKCS #1: RSA Encryption Version 1.5*, RFC 2313 (Informational) (March 1998), available at <https://datatracker.ietf.org/doc/html/rfc2313>.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct. Executed this 6th day of January 2022 in San Francisco, CA.

/s Phillip J. Haack
Phillip J. Haack